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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,304	03/30/2004	Lynton R. Burchette	IMG.019	5308

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EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/701,304

Applicant(s)

BURCHETTE

Examiner

Susan S. Lee

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 4,6,9,14,15,17-26,30,32,35-37 and 41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7,8,10-13,16,27-29,31,33,34,38-40 and 42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election of specie A, claims 1-3, 5, 7, 8, 10-13, 16, 27-29, 31, 33, 34, and 38-40, in the reply filed on 2/13/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Also, applicant obviously intended to elect claim 42 because in the previous office action claim 42 is generic to the first group of species which specie A belonged in.

Claims 4, 6, 9, 14, 15, 17-26, 30, 32, 35-37, and 41 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected specie, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 2/13/06.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 27-29, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaiwa et al. (6,490,436).

Kaiwa et al. discloses an electronic circuit casing 50 with a plurality of walls; and a protrusion 70 on the surface of one of the walls and a recess 61 on the surface of another wall. When the casing 50 is being detached from the telephone body 10, both

protrusion 70 (ledge) and recess 61 (indenture) are used to disengage from the telephone body 10. The tool for removal include knob 20, slide pawl 21, and slide protrusion 22. Note column 4, lines 11-23 and lines 52-63.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 10-13, 16, 33, 34, 38-40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakeshita (6,775,487) in view of Ito et al. (7,027,755) and Kaiwa et al. (6,775,487).

Kakeshita discloses a process cartridge B with an electronic read/write memory (casing) 20 with a back-up battery that is disposed on the upper side surface of the waste developer container 9. Note column 8, lines 23-47. Information from memory (casing) 20 can be communicated to the main body 100 of the image forming apparatus by way of the main body control portion 21. Note column 9, lines 6-25.

Kakeshita differs from the instant invention by not disclosing removing the casing and a structure on the casing used for the removal.

Ito et al. discloses that a memory of a cartridge body can be removable or exchangeable. Note column 42, lines 44-46.

Kaiwa et al. discloses an electronic circuit casing 50 with a plurality of walls; and a protrusion 70 on the surface of one of the walls and a recess 61 on the surface of

another wall. When the casing 50 is being detached from the telephone body 10, both protrusion 70 (ledge) and recess 61 (indenture) are used to disengage from the telephone body 10. The tool for removal include knob 20, slide pawl 21, and slide protrusion 22. Note column 4, lines 11-23 and lines 52-63.


It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Kakeshita with that of Ito et al. so that the cartridges can be refurbished or recycled with new memory chips (casing) attached to the cartridges and with that of Kaiwa et al. for easy removal of the casing.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. I-Shou, Nomura et al., Kim, Morita, Hirota, and Hasegawa disclose art in removing a device or casing from a surface.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan S. Lee
Primary Examiner
Art Unit 2852

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